IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1218 OF 2006
IN
FIRST APPEAL ST.NO.22888 OF 2005

Kismat Ali Dargahi Shaikh. ..Applicant.

V/s.

Mohammad Khalil Baledin Shaikh & Ors. ..Respondents.

WITH

CIVIL APPLICATION NO.1219 OF 2006
IN
FIRST APPEAL ST.NO.22886 OF 2005

Kismat Ali Dargahi Shaikh. ..Applicant.

V/s.

Vali Mohammad Nokhai Shaikh & Ors. ..Respondents.

Mr.V.A.Sugdare for applicant.

Ms.Pallavi Patil for L.H.Patil & S.L.Suryawanshi for respondent Nos. 1 and 2.

CORAM: A.M.KHANWILKAR,J

DATE : MARCH 3, 2006.

P.C. :

1. Heard.

2. The explanation offered by the applicant is unacceptable. The board for 12th January, 2006 was notified well in advance when the matter was shown on the board. In addition, the applicant was expected to serve the unserved respondents for which

sufficient time has been granted under the same order. The applicant has so far served respondent Nos. 1 and 2 and remaining respondents are yet to be served. The applicant can still avail of conditional order of 12th January, 2006, provided the applicant pays costs quantified at Rs.750/- within one weeks to the High Court Legal Services Committee. The applications are allowed in terms of prayer clause (a) and (b) on the above condition.